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March 12, 2018

**BY ECF & HAND DELIVERY**

Hon. Ronnie Abrams  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: United States v. Rajinder Singh, S1 16 CR 791 (RA)**

Dear Judge Abrams:

**A. INTRODUCTION**

This letter is submitted on behalf of defendant Rajinder Singh in anticipation of his March 26, 2018 sentencing. With this letter, the defendant respectfully requests a sentence that is simply “sufficient, but not greater than necessary to comply with the purposes” set forth in 18 U.S.C. § 3553(a)(2) due, in part, to the “nature and circumstances of the offense and the history and characteristics of the defendant.” 18 U.S.C. § 3553(a)(1). The basis for this request is as follows:

*first,*

[REDACTED]

*Second,* a review of the defendant’s life finds that there are many good deeds and the prospects for his rehabilitation are very good.

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**B. THE DEFENDANT’S GUILTY PLEA  
AND RESULTING GUIDELINES RANGE**

On December 13, 2017, Mr. Singh pleaded guilty pursuant to a plea agreement to Count One of a one count Information which charged him with introducing misbranded drugs into interstate commerce with intent to defraud or mislead, in violation of 21 U.S.C. §§ 331(a) and 333(a)(2). See December 8, 2017 Plea Agreement (“Plea Agreement”) at p. 1. Mr. Singh faces no statutory minimum and a maximum term of imprisonment of three years. Id.

As recounted in the Presentence Investigation Report (“PSR”), U.S.S.G. § 2N2.1(c)(1) mandates that § 2B1.1 applies to Count One of the Information because fraud is involved. PSR at ¶ 2. Pursuant to § 2B1.1(a)(2), the base offense level for this offense is 6, with a two-level adjustment because the loss resulting from the offense exceeded \$6,500, but did not exceed \$15,000 (§ 2B1.1(b)(1)(B)). There is also a two-level reduction for acceptance of responsibility (§ 3E1.1), resulting in a total offense level of 6, carrying an advisory sentencing range in the Criminal History Category I of 0 to six months imprisonment. PSR at ¶ 2.

**C. THE DEFENDANT’S BACKGROUND  
AND THE NATURE OF THE OFFENSE –  
APPLICATION OF § 3553(a) FACTORS**

Since the Supreme Court’s decision in United States v. Booker, 543 U.S. 220 (2005), the Sentencing Guidelines have been rendered advisory in nature, leaving sentences to the district court’s discretion, guided by the Guidelines and the other factors contained within 18 U.S.C. § 3553(a) and bounded by any applicable statutory minimum and maximum. This section directs sentencing courts to “impose a sentence” that is “sufficient, but not greater than necessary, to comply with” the “need for the sentence ... to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; to afford adequate deterrence to criminal conduct; [and] to protect the public from further crimes of the defendant ....” 18 U.S.C. § 3553(a)(1)-(2) (emphasis supplied). In making this determination, courts are to consider “the nature and circumstances of the offense and the history and characteristics of the defendant ....” 18 U.S.C. § 3553(a)(1). With these aims in mind, we submit the following for the Court’s consideration.

**i. The Defendant’s Prompt Admission of Guilt**

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[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

**ii. The History and Characteristics of the Defendant**

We have attached over 35 character letters in support of this submission, reflecting the significant and meaningful role that Mr. Singh has played in the lives of his friends and family members. For many of the people in Mr. Singh's community, English is a second language and not frequently spoken at home or at work. Nonetheless, these individuals felt that it was important to show their support for Mr. Singh and express their feelings regarding his nature and character. These letters illuminate the other side of the defendant and appear in stark contrast to the individual described in the Indictment. It would be impossible to include a letter from every individual in the community whom Mr. Singh has positively influenced, still, the myriad letters on which we remark paint a consistent picture of a "very helpful man," who is "the first one to be there" when someone needs help. Letter of Paminda Kand, attached as Exhibit C. Additionally, as discussed in many of the submitted letters, Mr. Singh is described as a "known person in the Indian Community," (Letter of Sonil Ghei, attached as Exhibit D) who is "very helpful to everyone," (*id*) and someone who "has good moral character" (February 12, 2018 Letter of Dr. Kamini Vadham, attached as Exhibit E).

**A Helpful and Dependable Friend**

Perhaps more than any of his other positive attributes, the attached letters reveal Mr. Singh's unflagging dependability and helpfulness to friends and others. When discussing Mr. Singh's character, longtime friend Anila Shamra used the words "very kind," "helpful," and "loving" to describe him and his family. Letter of Amila Shamra, attached as Exhibit F. In fact, several writers specifically discuss Mr. Singh's kind nature: "[h]e is a very kind person ... very helpful to everyone" (Ex. D), "he is a humble and kind hearted man" (February 12, 2018 Letter of Simi Mulani, attached as Exhibit G), "he is a very kind person and good human" (Letter of Kiran Malhotra, attached as Exhibit H), "Mr. Rajinder Singh is one of the great, kind and amazing human being [sic] I ever met" (Letter of L. Suy, attached as Exhibit I), "he is a ... kind hearted and humble person" (February 11, 2018 Letter of Prince Baggini, attached as Exhibit J).

Mr. Singh has also spent considerable efforts improving the lives of his friends and the members of his community. Ms. Sande Kaur recounts how she has known Mr. Singh for 15 years and he "always helped me whenever I needed him" (Letter of Sande Kaur, attached as Exhibit K), a sentiment that is echoed by family friend Davinder Singh, who writes, "he is such a warm hearted person and have [sic] always helped us in our hour of need and always willing to lend a hand" (Letter of Davinder Singh, attached as Exhibit L). Ms. Kand further notes that "if

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you ever need him for anything he is the first one to be there.” Ex. C. Dr. Vadham points out that “he is [a] very helpful person in society and he stands by any human being in trouble [] even at midnight and always reaches out to help others.” Ex. E. According to close friend Movibe Kapour, Mr. Singh “is a wonderful person and always helping others.” Letter of Movibe Kapour, attached as Exhibit M.

#### Community Involvement and Entrepreneurship

A strong sense of community also defines Mr. Singh. Since his arrival in the United States in October of 2004, he has set roots down and remained in the Long Island Indian community. He has firmly established himself as a reliable member of the community, both as a businessman and someone who would take an active role in community affairs. He received the “Extraordinary Entrepreneur Award” which recognized his not only his entrepreneurship but also his humanitarian services to the community. See October 25, 2014 World Punjabi Organization Extraordinary Entrepreneur Award, attached as Exhibit N.

Several individuals writing on his behalf discuss how well-known and regarded Mr. Singh is within his community and his efforts on behalf of the people there. Mr. Kapour writes that he is “always active in doing any kind of good social work and a great help to the community... .” Ex. M; see also February 11, 2018 Letter of Rajinder Bedi (“he is well known in the community as a respectful person, attached as Exhibit O”). Other community members note that Mr. Singh “is a wonderful friend and a very good social worker and is helpful in our community in need” ( February 11, 2018 Letter of Harjit Malhotra, attached as Exhibit P), and that he is “involved in community services in Long Island” (February 11, 2018 Letter of Vinod Motwani, attached as Exhibit Q). Mr. Bagnni also adds that Mr. Singh is involved in lots of charity work and community service. Ex. J. This position is echoed by Mr. Mulani, who describes Mr. Singh as “very helpful,” and “very active in community things.” Ex. G. Sunita Chauman refers to Mr. Singh as “indispensable” in their Asian society, and states that Mr. Singh has earned “respect with sincere love and affection.” Letter of Sunita Chauman, attached as Exhibit R.

Further, many are familiar with Mr. Singh’s work ethic and know him through his business. Letter of Herman Singh, attached as Exhibit S (“he is a very hardworking and honest family man”); see also February 12, 2018 Letter of Atul Kapour, attached as Exhibit T (“he is a nice and noble man with lots of hardworking [sic] and good nature”); see also February 9, 2018 letter of C.M. Chauman, attached as Exhibit U (“He is honest, committed and is a very good entrepreneur”). Preetpal Bindea also notes that Mr. Singh enjoys a lot of respect in the

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community in part because he is a successful businessman. Letter of Preetpal Bindea, attached as Exhibit V.

A Loving Husband and Father

Another pervasive theme contained in the letters is that Mr. Singh is dedicated to his family. Letter of Kawal Sahni, attached as Exhibit W (describing him as “a great family man”). Mr. Singh and his wife have raised three successful children, two of which work in the legal field and one in the health-care industry. PSR at ¶ 39. Friends describe him as a “good father” (see Ex.C; see also Ex. D), a “very reliable and straightforward family man” (Letter of Karamvir Singh, attached as Exhibit X), and a “loving husband” (Ex. O). Mr. Malhotra also specifically notes Mr. Singh’s sense of loyalty (Ex. H), and longtime friend Gurvinder Singh writes that Mr. Singh’s children were brought up in a respectful manner (Letter of Gurvinder Sahni, Esq., attached as Exhibit Y).

Many other friends and family members have written letters in support of Mr. Singh which are not referenced above, for the sake of brevity those letters are also included herein and collectively attached as Exhibit Z.

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**E. CONCLUSION**

Defendant Rajinder Singh comes before this Court asking for mercy. A life filled with perseverance, good deeds and hard work has been marred by criminal actions, for which he has not only shown remorse, [REDACTED]

[REDACTED] Nevertheless, as the powerful enclosed letters reveal, Mr. Singh is an uncommonly decent and giving man, and unlike many defendants, has made very sincere efforts to raise and support his family, help his friends and contribute to his community throughout his life in any capacity he was capable. For these reasons and the others stated herein, a probationary sentence is respectfully requested.

Respectfully submitted,



Paul Townsend

cc: David Abramowicz, Esq.  
Assistant United States Attorney (by hand and ECF)